

REVENUE MEN TRAP THREE IN RAIDS

Big Haul Made by Chapman's Force in Cleverly Planned Round-Up.

SHOTS FIRED IN CARROLL OLD SYSTEM CUMBERSOME

Mountain Men Conveying Wagon of Whiskey Try to Save Prize, but Fail.

Four raids by revenue officers made simultaneously in Henry and Carroll counties in the early hours of Friday morning resulted in the capture of three moonshining mountaineers, the seizure of a quantity of illicit spirits, and the destruction of three stills. The trio of captives—Elijah Stone, Sam Moxey and J. R. Foster—were brought before United States Commissioner English at Rocky Mount and remanded to jail in default of bail for trial in the district court. Official report of the raids was received yesterday by Revenue Agent Chapman.

Deputy Collectors Ashworth and Detson, operating out of Rocky Mount, engineered the most successful double raid made in recent months in the district. Leaving Rocky Mount with two possesmen, the officers made their way under cover of darkness until they reached a hidden still near the town of Henry. The ashes in the furnace were warm. It was then 1:30 o'clock in the morning. They quickly mapped out a scheme of action. Deputy Detson, with one possesman, concealed himself near the still and sat down to await the arrival of the operators. Meanwhile, Deputy Ashworth and the other possesman trailed off through the darkness until they reached a second still about five miles away. At 4 o'clock Ashworth and the possesman crawled into the underbrush around the plant to trap the operators.

Walked Into Trap. Ashworth's wait was shorter than Detson's. In less than three hours the hiding officers heard the bushes rustling and in a few minutes saw a man step out in the darkness light and prepare for work. Before he could put himself on the defensive the officers were upon him. He gave his name as J. R. Foster, an admitted moonshiner, and the still. While the party lingered at the spot a second man walked into the trap, having been unable to see his way in the dim light. He was captured, but was unable to go far before convincing the officers that he was not connected with the plant except as a buyer.

One 16-gallon copper still, ten ferns, 1,000 gallons of beer and 1,000 gallons of spent beer and other costly distilling apparatus fell into the raiders' hands and were destroyed.

While this capture was being made, Deputy Detson had to wait until 1:30 o'clock before the moonshiners walked into his trap at the first still. At that hour two men suddenly appeared. One began building a fire in the still furnace, the other removed the cap from the still and prepared to put the plant in operation. They were surprised and captured without resistance, and gave their names as Elijah Stone and Sam Moxey.

The raiders seized and destroyed a sixty-gallon still, four fermenters, 200 gallons of beer and other paraphernalia.

Held in Carroll. Operating out of Hillsville on the same day, Deputy Collector J. D. Hunt succeeded in raiding one distillery and capturing a load of unstamped whiskey with the aid of Sheriff Worrell, of Carroll County. Near Little Fork Church, a two-mile wagon containing two barrels of whiskey was driven into the trap set by the officers and was captured. Two shots were fired by the possesmen in charge of the wagon. He had to abandon the horse he was riding, but made good his escape.

The officers captured two barrels of whiskey, two mules, one horse, a big wagon, a saddle, a quantity of harness. The whiskey and the other prizes were driven back into Hillsville. Sheriff Worrell, with a small posse, discovered and captured a copper still near Pine Spruce, Carroll County, on the same day. This was carried into Hillsville and turned over to Deputy Hunt for destruction.

URGES REFORM IN COURT PROCEDURE

Byrd Explains Objects of Bar Associations in Seeking New Law on Subject.

Thomas W. Shelton Preparing Bill for Consideration at Hands of Legislature.

Richard Evelyn Byrd, Speaker of the House of Delegates, explained in an interview yesterday the work to be undertaken before the next General Assembly by Thomas W. Shelton and others for needed reform in judicial procedure. As Mr. Byrd shows, the present system is not defended by anybody, while, with the suggested changes urged by the American Bar Association and the Virginia Bar Association, the procedure will be greatly simplified to the benefit of lawyers and litigants.

Reform of Judicial Procedure. In 1910, Virginia lawyer Mr. Thomas W. Shelton, of Norfolk, has been selected by the American Bar Association and by the Virginia Bar Association to head a movement for the reform in the country at large, and in Virginia, of judicial procedure. Mr. Byrd. "This reform is imperative if the courts are to perform with simplicity and economy the functions for which they are created."

"It is a just complaint that court procedure is slow, complicated, cumbersome and expensive. Too many just causes are lost or delayed for errors that are not essential, but merely procedural, and law suits drag a slow length along, to the disgust of litigants and often the practical denial of justice."

"The Legislature has, from time to time, made changes in the direction of greater simplicity, but there remains much to be done, and if the experience of the past means anything, the reform accomplished by the Legislature is slow, slow and ineffective."

"Procedure not being of the essence of rights, but merely the method by which asserted rights come to an investigation and adjudication, there should always be a certain amount of flexibility so that defects may be remedied as they are disclosed in the actual administration of the rules."

Rules for Equity Practice. The Supreme Court of the United States, acting under the authority of Congress, has formulated and pronounced rules governing the equity practice of the Federal courts. These rules have enormously simplified and cheapened the procedure on the equity side of the Federal courts, and the Supreme Court will soon formulate rules governing the procedure on the law side.

"To enable our own Supreme Court to accomplish this beneficial result, we need only a slight change in an existing statute. An act of the General Assembly, which has been upon the statute books since 1819, and is now found in Section 212 of the Code of Virginia, provides as follows:

"The Supreme Court of Appeals may, from time to time, prescribe the forms of writs, and make general regulations for the practice of all courts, and may prepare a system of rules of practice and a system of pleading, and the forms of process, to be used in all courts of this State, and when the same are prepared, the court shall make report thereof to the General Assembly, in order to further legislation in the premises."

"This law has stood for more than half a century. First, it was merely permissive and not mandatory, and, second, because it is uncertain whether the statute gives the Supreme Court the actual power to formulate and pronounce rules, or whether it only formulates rules and systems of pleading, reporting the same to the Legislature for ratification."

Mr. Shelton very wisely proposes that the next General Assembly amend Section 212 of the Code of Virginia so as to read as follows:

"The Supreme Court of Appeals shall, from time to time, prescribe the forms of writs, and make general regulations for the practice of all courts, and may prepare a system of rules of practice and a system of pleading, and the forms of process, to be used in all courts of this State, and when the same are prepared, the court shall make report thereof to the General Assembly, in order to further legislation in the premises."

It is, of course, impossible for the House to take time by the forelock in this way, as its Finance Committee

Use Vitaqua (Ve-taw-qua) Sparkling Water in high-balls. A combination of wonderfully pure Broad Rock water and carbonic acid gas, and NOTHING ELSE. No foreign adulterants to affect the flavor of your "mixings."

shall, from time to time, prescribe the forms of writs, and make general regulations for the practice of all courts, civil and criminal, and shall prepare a system of pleading and the forms of process to be used in all the courts of the State, civil and criminal, and when the same are prepared and put into effect, the court shall make report thereof to the General Assembly, in order that they may be published in the Acts of the current session, unless otherwise published by order of the court. "Of course, there would be the usual provision repealing all inconsistent laws. I think it should also be mandatorily upon the Secretary of the Commonwealth to print these rules of the sessional Acts whenever promulgated or changed, no matter what other publication the court may provide. Mr. Shelton will use this law upon the General Assembly, which meets next month, and he will only be assisted by Mr. James H. Corbett, of Suffolk. Mr. Robert T. Barton, of Winchester, Mr. A. C. Byrd, of Richmond, and Mr. A. W. Patterson, of Richmond. These gentlemen are endeavoring to perform a patriotic duty to remedy a condition in legal procedure that no reformer who is not a lawyer can intelligently oppose. They will certainly have my unqualified support."

READY TO BEGIN ON STATE BUDGET

Senate Finance Committee Called to Meet Here on December 16.

By direction of Chairman Echols, notices will be sent out today for a meeting of the Senate Finance Committee in Richmond on December 16. The committee will hold daily sessions thereafter for consideration of the annual appropriation acts for 1914 and resolution offered by the House of Representatives in obedience to the resolution of the Senate of December 10, 1912, adopted on March 5, 1912. The resolution provides:

"The committee shall meet and prepare the general appropriation bill as they deem it should pass, and the same shall be introduced on the first day of the session and be a special and continuing order for the next day."

It is provided that the expenses of the committee shall be paid out of the contingent fund of the Senate. The committee consists of Senators Echols, Garrett, Holt, Harman, Early, Fletcher, Wessner, Massie, Moncure, Reinhardt, Weenderburg, West and Sowers. Until the Senate itself meets there is no authority for filling the vacancy on the committee caused by the death of Senator Early.

The committee will at once map out a series of hearings for representatives of State institutions and departments, so that each may present its claims for funds and a skeleton bill providing the funds for the conduct of the State government for the succeeding two years may be drawn up.

It is the contention of the patron, former Senator Echols, of Richmond, now a member of the Administrative Board, that the appropriation bill had not had sufficient attention; that the financial needs of the departments and institutions have not been sufficiently studied. In the past the bill had been hammered in an effort to prune the demands down to something approximately the probable revenue, and as a result it has been a source of trouble. The Finance Committee, sometimes on the last night of the session, and whipped through on the personal plea of the chairman, many of the members not having been prepared, the court they were voting away more than \$14,000,000 that the State spends in two years.

Important Session. It is, of course, impossible for the House to take time by the forelock in this way, as its Finance Committee

will not be named until the body meets and selects a Speaker. But the Senate committee hold over and can take up their work just where they had it down.

With the great variety of important measures to come before this session, the general feeling is that time is of importance and that all that can be done in preparation should be in readiness when the session opens on January 14. Senate Librarian John R. Jester is the acting clerk of the committee. Chairman Echols will prepare shortly a calendar or schedule of institutions and departments to be heard upon, and notify them when to present their estimates of needs.

In his annual report, just issued, State Auditor Moore reports a balance to begin the new year of \$332,824.54.

State Has Good Balance.

He gives an elaborate estimate of the probable receipts from all sources, and also a calculation in regard to expenditures chargeable against the general fund for the fiscal year ending September 30, 1914, giving it as his opinion, that appropriations by this General Assembly are limited only to actual running expenses of institutions and departments, that at the end of the fiscal year the State will have a balance of \$281,622.44. In view of demands already outlined, any such limitation is regarded as altogether impracticable.

Mr. Moore expresses no opinion as to the enabling act or the policy the State should pursue in regulation of liquor, but in his report points to the fact that the State received in the last fiscal year from liquor licenses, exclusive of the amount derived by the cities and counties, a total of \$228,921.27. His plan for segregation of taxes is based on the assumption that the State will continue to receive approximately \$200,000 a year from liquor licenses.

Shaw Lady Looks Younger Instead of Older with Lapse of Time

Shaw, Miss.—Mrs. V. N. Smith, of this city, makes an interesting statement of her experiences, as follows:

"Twenty-nine years ago I contracted a serious form of womanly trouble. We called in our family physician, and he treated me for it, but it seemed to do no good. It went on into other bad troubles, and I commenced taking all kinds of medicines to see if I could get relief, but to no avail."

"I suffered with that trouble up until eleven years ago, when I read about Cardui, the woman's tonic, and bought a full treatment. It relieved me at once, and after taking the full treatment I am now well and stout."

"I sent my brother, whom I had not seen in twenty years, one of my photographs, and he wrote me that I looked younger than when he last saw me."

"For more than 50 years Cardui has been relieving women's sufferings and building weak women up to health and strength. No other tonic gives the same results as Cardui. No other woman's medicine has the long record of success in treating cases of womanly weakness and disease."

Cardui will surely help you. Try it.

N. B.—Write to: Ladies' Advisory Department, Medicine Co., Chattanooga, Tenn., for Special List of Agents and 64-page book, "Home Treatment for Women," sent in plain wrapper, on request.—Advertisement.

The Weather.

Forecast: Virginia— unsettled Tuesday, with rain in central and south portions; Wednesday probably fair; Thursday, cloudy; Friday, with north winds, probably brisk on the coast; Wednesday fair.

Special Local Data for Yesterday.

12 noon temperature..... 48

P. M. temperature..... 45

Minimum temperature..... 43

P. M. temperature..... 49

Mean temperature..... 46

Normal temperature..... 44

Excess in temperature..... 2

Excess in temperature since March..... 52

Accumulated excess in temperature..... 326

Since January 1..... 326

Rainfall last twenty-four hours..... .28

Deficiency in rainfall since March..... .79

Accumulated deficiency in rainfall since January..... 3.57

Local Observations 8 P. M. Yesterday.

Temperature..... 46

Humidity..... 100

Wind—direction..... N. E.

Weather..... Partly Cloudy

Rainfall last 12 hours..... .28

CONDITIONS IN IMPORTANT CITIES.

(At 8 P. M. Eastern Standard Time.)

Place..... Weather.....

Asheville..... 42..... Cloudy

Atlanta..... 42..... Cloudy

Boston..... 46..... Cloudy

Buffalo..... 42..... P. cloudy

Baltimore..... 44..... P. cloudy

Chicago..... 44..... Cloudy

Denver..... 20..... Snow

Detroit..... 29..... Cloudy

Galveston..... 68..... Cloudy

Hatteras..... 54..... Rain

Havana..... 64..... Rain

Jacksonville..... 68..... Rain

Kansas City..... 56..... Cloudy

Louisville..... 52..... Cloudy

Montgomery..... 64..... Rain

New Orleans..... 64..... Rain

St. Louis..... 58..... Cloudy

St. Paul..... 42..... Rain

San Francisco..... 62..... Clear

Savannah..... 60..... Rain

Spokane..... 34..... Clear

Tampa..... 64..... Rain

Washington..... 44..... Cloudy

Wichita..... 42..... Cloudy

Wytheville..... 42..... Cloudy

MINIATURE ALMANAC.

December 2, 1913.

Sun rises..... 7:05

Morning..... 8:06

Sun sets..... 4:51

Evening..... 5:51

CHICHESTER WILL STAY IN TREY CASE

Governor Designates Judge to Hear Norfolk Contested Election.

MANY CHARGES OF FRAUD

Election Officers Alleged to Have Marked Ballots for Illiterates.

Judge R. H. L. Chichester, of Fredericksburg, was designated by Governor Mann yesterday to hear the Norfolk contested election case, in which Judge Albert R. Hanked thought it improper that he should sit. The special term for the trial of this case opens on Thursday, and the decision of the judge is final. The case is in the style of Leon C. Steel and others against James V. Trey and B. Gray Tunstall.

On the face of the returns in the recent election, James V. Trey was proclaimed clerk of the Corporation Court by a majority of ninety-three votes over Richard W. Peatross, candidate of the Citizens' party. It is charged that the returns were falsified by the returns by a small majority over P. C. Stanworth, candidate of the Citizens' party for the office of city treasurer. The Citizens' party voted its candidate for Commonwealth's attorney, O. L. Shackelford, defeating John G. Tilton, incumbent, and the Citizens' party also carried its ticket for the House of Delegates over the old-line organization of Trey family.

Refused Access to Poll Books. Shortly after the election fraud was alleged, the method of voting, and the citizens' party asked permission to examine the poll books to see who had voted in the election. Mr. Trey, as clerk of the Corporation Court, had the books in his possession, and refused attorneys for his opponents access to them. Appeal was made to Judge Hanked, who decided the books were public property. Mr. Trey appealed to the Supreme Court, which decided against him, holding that the books containing a list of those who voted were public property. As the books do not show how many votes were cast, a violation of the secret ballot, while a public inspection of the list of voters, the court held, is a safeguard against fraud.

Containing access to the poll books containing lists of the voters, the Citizens' party shortly thereafter filed with the Corporation Court allegations of fraud in various precincts. As Judge Hanked presides over the court of which Mr. Trey is now clerk, and as there is much factional bitterness in Norfolk over the contest, he decided it would be best to have the Governor designate a judge from some other section of the State.

After consulting the court calendars of the various towns of the State, Governor Mann yesterday designated Judge Chichester, of the Fifth Judicial Circuit, composed of King George, Stafford, Spotsylvania, Caroline and Hanover Counties.

Illiterates Voted. While the allegations of fraud contain many counts, and go over a vast amount of ground, it is understood that the bulk of the litigation lies in the charge that a large number of voters—probably about 200—were unable to read and write, and had to secure the aid of election officers to mark their ballots. It is charged that the election officers were friendly to the machine of Trey family, and voted illegally in their favor. As to the allegations of fraud, the Citizens' party has certified on the registration books. That election officers may exercise a large influence in the preparation of the ballots of illiterates is not denied, but the Citizens' party has no objection to the registration books. Home being cited as a case in point, it being alleged that in past elections the veterans have been voted almost exclusively in their favor. As the election officers have been charged with practices in the marking of ballots may have obtained to a greater or less degree, it is contended that the practice of the election officers to mark the ballots for illiterates is a violation of the law, and that the law should be enforced. In past decisions, it is asserted, the courts have not adhered to the most rigid construction of every clause of the election law, but have sustained elections wherever it appeared that the will of the community had been fairly registered.

The case of the Citizens' party, which was filed on Thursday, will probably continue for several days, for if all of the allegations of fraud are gone into, a vast amount of testimony must be taken.

PEARL ROSS FILES AMENDED PETITION

Barron, Sheppard and Ellis Designated as Illegal Voters in Norfolk Contest.

Norfolk, Va., December 1.—The amended petition, which contestants of the election of James V. Trey are making, and which is desired to be made a part of the contest, was filed today in the office of the clerk of the Corporation Court. It is asserted that numerous persons voted in the election who did not have a right to vote. Among these are Harry B. Goodridge, who acted as campaign manager for the organization candidates in the campaign preceding the late election; Police Justice James S. Barron, of Pennsylvania and Mr. Ellis is a resident of the city of Richmond.

Mr. Goodridge and Justice Barron, who have country homes on Tanner's Creek have continued to maintain their legal residence in Norfolk City, as have also Mr. Sheppard and Mr. Ellis, the latter holding an appointment in the office of the Auditor of Virginia. He was appointed to this office some time ago from Norfolk.

There are numerous allegations charging that people voted when they had not lived in Norfolk a year or had not lived in the precinct where they voted for the required thirty days.

It is asserted in the petition that some people of the same name and initials voted more than once, that two alleged paupers voted without legal right; that some appeared as having voted who did not vote, and that three people who had been convicted of felonies voted.

Arrested for Butter Theft.

Richard H. Hanked, arrested yesterday by Detective-Sergeants Wiley and Kelam on the charge of stealing eighteen pounds of butter from S. W. Nunnally.

Pottier & Stymus Co.

Interior Decorations

Lexington Avenue and Forty-first Street, NEW YORK.

Our representative, Mr. John G. Manuel, will be at the Hotel Jefferson, Richmond, Va., afternoons from December 1st to December 5th with a very interesting line of interior decorations, consisting of Furniture, Furniture Coverings, Wall Hangings, Drapery Materials, Rugs and Carpets and designs of Interiors. Estimates furnished on request.

COUNCIL ACCEPTS HOSPITAL OFFER

(Continued from First Page.)

tion on the committee's report. The paper will be printed this week and distributed to members of both branches of the Council. The special meeting, it is promised, will bring out the best of the year. Among the charter changes recommended that will cause the sharpest division are amendments giving the Administrative Board full power to increase the salaries of employees and officers in the city departments. The Council in designating the purposes to which appropriations shall be applied.

Disposal of Pay Increases.

Shortly before midnight City Clerk August reported a bulky communication from the Administrative Board, comprising among other papers a large number of resolutions recommending salary increases to employees and officers in the city departments. The Common Council referred them all to the Finance Committee.

The only exceptions to the wholesale commitments, were salary raises already recommended by the Committee on Finance. These included resolutions fixing the pay of the City Auditor at \$3,600 a year; Registrar of Vital Statistics of the Health Department at \$1,200 a year; and Police Commissioner at \$302 a day. The increase enumerated as well as resolutions fixing the pay of clerks in the Treasurer's office, were approved unanimously.

Passes Preliminary Law.

An ordinance taxing palmists and clairvoyants of good standing \$50 a year, before the body with the unanimous approval of the Ordinance Committee, was introduced by a unanimous vote. It contains provisions requiring all applicants for license to be residents in the city of five years' standing. Applicants, it is provided, must be accompanied by character recommendations signed by five citizens. Transient fortune-tellers are taxed \$2.50 a year.

Under Suspension of the Rules.

Common Council concurred in the resolution appropriating \$400 to defray the expenses of a Richmond delegation to the National Rivers and Harbors Congress, which convenes by charter in Washington, D. C. The delegation, it is provided, shall consist of four members of the Common Council, three members of the Board of Aldermen and the Mayor. President Peters last night appointed as delegates from the lower branch Councilmen Rogers, Atkinson, Hadden and Jones.

Defers Alley Grant.

Upon a motion offered by Councilman Moore, the resolution abandoning an alley on the Boulevard, between Main and Cary Streets, and dedicating it free of charge to the adjoining lot owners, John A. Traylor and W. J. Whitehurst, was sent back to the Committee on Streets for further investigation. It was said that the valuable piece of property, thought Mr. Moore, would be to establish a dangerous precedent.

Attorney's opinion that the city possessed no title to the alley, but merely an easement over it. The passage of the resolution was urged by Councilman Hadden, who was a member of the subcommittee that investigated the matter. The city, he said, had abandoned the alley, and could make no other disposition of it. The motion to recommmit was put to a vote and carried overwhelmingly.

For City Exhibit.

The resolution authorizing the city to execute a lease for a space in the Manufacturers' Exhibit, which failed of passage at the last meeting of the Common Council, was taken from the

table and passed. It provides for the rental for one year of a space in which to install a municipal exhibit. The first year's rental of \$1,400 has already been appropriated by the Committee on Advertising and Entertainments. Councilman Ratcliffe secured a reconsideration of the vote by which the Council at the last meeting refused to pass an ordinance granting to the Atlantic Coast Line Railway Company the privilege of running six spur tracks two feet below the property line on Canal Street, to take care of an emergency brought about by exorbitant improvements being carried out in the yards.

The original ordinance fixed a five-year limit, after which the tracks were to be removed. Mr. Ratcliffe offered an amendment making the limit two years. In his amended form the ordinance still encountered strong opposition, but it was finally passed by a vote of 14 to 5.

Fixes Hospital Zones.

The Committee on Health recommended to Councilman Moore's ordinance designating hospital zones within which all unoccupied houses are to be demolished under penalty of a fine, recoverable before the Police Justice. The ordinance also provides for the removal of the zones, which will extend one block in every direction from the various hospitals.

A resolution was passed giving to the St. Andrew's Association annually, fee charge, \$5000 cubic feet of gas in consideration of the public bathhouse which it will operate at Bellevue Street and Main Lane. The resolution fixes also a special fee for water that will be used by the institution.

The ordinance granting to Nollie Bess, a permit for the erection of a stable on property on Twenty-sixth street between the Broadway and Main streets, was upon the request of Councilman Hadden and James H. Hanked, recommended by the City Engineer. Both were referred to the Committee on Finance.

The Finance Committee reported the resolution fixing the salary of the City Coroner at \$2,000 a year. The amendment that the salary be made \$2,500 instead of \$2,000. The resolution was referred to the Administration Committee.

New Salary Increases.

Ordinances providing for new salary increases were introduced into the Common Council last night as follows: By Councilman Atkinson, to increase the salary of the Superintendent of the Gas Works to \$2,000 a year. By Councilman Pollock, to increase the salary of the City Engineer to \$2,000 a year. The salary raises just noted were all referred for report to the Committee on Finance.

Councilman Unkuf introduced an ordinance appropriating \$200 for the purchase of trash receptacles, designed to be placed at street corners in downtown districts for the collection of paper and other light refuse. It was referred to the Ordinance Committee.

An ordinance liberalizing the present laws governing the erection of electric signs, introduced by Councilman Vonderhilt, was likewise referred to the Ordinance Committee.

YUAN AGAIN IN TROUBLE

Reported That Rebels are Trying to

[Special Cable to The Times-Dispatch.] Peking, December 1.—Official telegrams received here today from China report that Chinese rebels are intriguing with outlaw bands to organize a revolution. The government of President Yuan Shi Kai, Peking officials believe the rebel party will not be able to organize a revolution, but in other quarters fear is expressed that it may succeed in perpetuating lawless conditions. The Chinese government is developing an extensive secret service, and summary executions without court trial frequently occur.

Hear-Admiral Clark Dead.

Amherst, N. H., December 1.—Former Admiral